

REMARKS

Favorable reconsideration of this application in light of the following discussion is respectfully requested.

Claims 1-4 are pending in the present application. No claims have been added, amended or cancelled by the present response.

In the outstanding Office Action, Claims 1 and 2 were rejected under 35 U.S.C. § 101 as claiming the same invention as U.S. Patent No. 6,690,442 (herein the '442 patent), and Claims 3 and 4 were rejected under the judicially created doctrine of obviousness-type double patenting over the '442 patent.

Regarding the rejection of Claims 1 and 2 under 35 U.S.C. § 101, that rejection is respectfully traversed because the claims of the '442 patent are mistaken. More specifically, independent Claim 1 of the '442 patent has been amended to omit the language "or through a direct contact," which appears in published Claim 1 at column 11, lines 23-25, in the '442 patent. In addition, Claim 1 of the '442 patent has been amended to recite "wherein, on a periphery of the transfer electrode, the second conductive metal film is covered between the first insulating film and second insulating film," but this language was not added to the published Claim 1 of the '442 patent.

Applicants, the assignee of the '442 patent, have filed a Certificate of Correction (a copy of which is enclosed herewith) in the '442 patent to correct the above mistakes of independent Claim 1. Thus, Applicants respectfully submit that pending independent Claim 1 of the present application is different than Claim 1 of the '442 patent.

Regarding the judicially created doctrine of obviousness-type double patenting, Applicants file concurrently with the present response a Terminal Disclaimer as suggested in the outstanding Office Action.

Accordingly, it is respectfully submitted Claims 1-4 are allowable over the '442 patent.

Consequently, in light of the above discussion, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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